

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
Region 31**

GENUINE PARTS COMPANY  
d/b/a NAPA AUTO PARTS

Employer

and

Case 31-RC-8552

WHOLESALE AND RETAIL FOOD  
DISTRIBUTION, LOCAL 63, INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS

Petitioner

**ORDER DISMISSING PETITION**

Pursuant to a petition filed on October 17, 2005,<sup>1/</sup> the parties entered into a Stipulated Election Agreement, which I approved on October 28. The election was scheduled for November 28. On November 9, the Employer filed a Motion To Dismiss Petition along with supporting documentation to the effect that the petitioned for unit would no longer exist as of November 19, inasmuch as the Employer had entered into a subcontract with another company to perform the bargaining unit work. On November 10, the Petitioner filed a Section 8(a)(1) and (3) charge against the Employer in Case 31-CA-27593 alleging, in substance, that the Employer discharged its employees for engaging in Union activities. A Request to Proceed was filed by the Petitioner on the date the charge was filed; however, the Request to Proceed was withdrawn on November 16. I, therefore, canceled the November 28 election. On December 9, the Petitioner withdrew its charge. The Petitioner has provided no evidence to dispute the Employer's documentation or otherwise establish that the petitioned for unit exists. Accordingly,

---

<sup>1/</sup> All dates 2005 unless otherwise noted.

IT IS HEREBY ORDERED that the petition for representation be, and it hereby  
is, dismissed.

Signed in Los Angeles, California, this 14th day of March 2006.

*/s/ James J. McDermott*

---

James J. McDermott, Regional Director  
National Labor Relations Board  
Region 31  
11150 West Olympic Boulevard., Suite 700  
Los Angeles, CA 90064-1824